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### Law on the bridge: Forum on Cross-Border Legal Practice Finds Many Opportunities in Canada

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# Law on the bridge

Forum on cross-border legal practice finds many opportunities in Canada

U.S. law for Canadian clients."

"Most importantly, you have to have a broad knowledge of international law and the law generally," said Kathryn Bryk Friedman '98, an international lawyer with the Buffalo office of Hodgson Russ L.L.P. "For example, I clerked for a judge for two years. People ask, why did you do that? But the skills you acquire can be applied in a number of different contexts. I found that experience extremely helpful."

For young lawyers thinking about their practice options, Friedman said, international law is fertile ground. "Given the increased globalization of the economy, there are just tremendous opportunities for young lawyers to get involved in cross-border work," she said. Those opportunities include both private international law, such as corporate and transactional work, securities work, and immigration and trade; as well as public international law, such as human rights work, government service and international development work.

"The amount of commerce and transactions between Canada and the United States is so enormous," she said. "Somebody is going to have to do the legal work, and it might as well be us."

Attorney Kim Solar of Fragomen, Del Rey, Bernsen & Loewy addressed some specifics of the cross-border legal relationship. She said a "B-1 business visitor," for example, is a Canadian businessperson who needs to come into the United States for "after-sale service, business meetings, opening offices, looking for a job in the United States, any number of things where they are not receiving remuneration in the United States. They do not need a visa. This is a very easy entry into the United States."

Solar also spoke of the "L-1 intercompany transfer visa," a legal petition that can be executed and adjudicated right at the border, for instance at Buffalo's Peace Bridge. The instrument applies to a Canadian citizen coming into the United States to work for a parent company, a subsidiary or a new start-up. The visa is renewable after one year.

**A**nother twist on immigration, Solar said, is U.S. Immigration and Naturalization service petitions for such travelers as athletes and entertainers. Again, the legal work for such issues can be done right at the border.

Gerard M. Meehan '82, of Hodgson Russ' Toronto office, has a foot in both countries, having been born in Canada and having played hockey for the Buffalo Sabres.

His own cross-border practice, he said, is "almost like being a lifestyle consultant. People ask about insurance coverage issues, where should I move to, which state would suit me best, where are the taxes least onerous. You have to become a bit of a specialist at being a generalist.

"Canadians tend to be a bit mistrustful of the aggressive entrepreneur," Meehan said. "They are more comfortable with the British tradition, which is a little more genteel in their minds." Designation as a foreign legal consultant, he said, helps U.S. attorneys because it "eliminates a bit of Canadians' skepticism of Americans."

But to grow their practice in Canada, he said, U.S. lawyers can follow a familiar path. "How does a practice grow? The same way it does in the United States," he said. "You work with them, you play with them, you help their charities, you join their clubs, and you go to church — all the things that lawyers in general do to help their practice grow."

The April 19 forum was moderated by Professor Robert S. Berger, director of the Canada-U.S. Legal Studies Centre, which co-sponsored the event with UB Law School.

Buffalo News

**T**hat foreign country across the Niagara River came into a little sharper focus with a lively forum at UB Law School on "Cross-Border Legal Practice: The U.S.-Canadian Connection."

Four practitioners whose work spans the border in such areas as trade and customs, immigration and corporate law told of wide-ranging opportunities in this growing area of the law. With recent free-trade agreements, especially, they said, it is a promising time for attorneys looking to expand their practice beyond the United States.

"There is a lot of demand and activity in Canada for legal

services related to the United States and doing business in the United States," said Lauren Rachlin, who practices international law with the Buffalo firm Kavinoky & Cook. U.S. attorneys are termed "foreign legal consultants," he said, a qualified designation by the Canadian authorities. In the context of doing work for a Canadian business, he said, the job might entail dealing with immigration and customs issues, "moving capital, moving money, moving goods, any corporate tax and banking requirements. We help them get established in the United States."

The important point, Rachlin said, is that "we do not practice Canadian law. We practice